

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

MELTON SMITH,

Plaintiff,

v.

CITY OF BAKERSFIELD, et al.,

Defendants.

Case No. 1:22-cv-00494-CDB

ORDER GRANTING PLAINTIFF'S
REQUEST TO SEAL

(Doc. 90)

Pursuant to Local Rule 141(b) and based upon the representations contained in Plaintiff's ex parte application to seal, filed on October 3, 2024 (Doc. 90), and in the declaration of counsel for Plaintiff proposed for sealing, emailed to the undersigned's chambers on October 3, 2024, the declaration of counsel for Plaintiff, Brian M. Bush, dated October 3, 2024, shall be ordered sealed until further order of this Court.

The Court has considered the factors set forth in *Oregonian Publ'g Co. v. U.S. Dist. Court for Dist. of Or.*, 920 F.2d 1462 (9th Cir. 1990). The Court finds that, for the reasons stated in the ex parte application, sealing the declaration of counsel for Plaintiff serves a compelling interest. The Court further finds that, in the absence of closure, the compelling interests identified by counsel for Plaintiff would be harmed. In light of the public filing of Plaintiff's ex parte application (Doc. 90), the Court further finds that there are no additional alternatives to sealing the declaration of counsel for Plaintiff that would adequately protect the compelling interests

1 identified by Plaintiff.

2 Accordingly, it is HEREBY ORDERED, Plaintiff's application to file the declaration of
3 counsel under seal is GRANTED, and the declaration of counsel shall be SEALED until further
4 order of the Court.

5 It is FURTHER ORDERED within five days of the date of this Order, counsel for
6 Plaintiff shall submit a copy of this Order and the document to be sealed (counsel for Plaintiff's
7 declaration) by email to the Operations Section of the Clerk of the Court:

8 ApprovedSealed@caed.uscourts.gov

9 IT IS SO ORDERED.

10 Dated: October 3, 2024

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UNITED STATES MAGISTRATE JUDGE